

FILED

MAR 3 2010

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

No. C 90-3094 TEH

ALEJANDRO MADRID, et al.,
Plaintiffs,

vs.

MATTHEW CATE, et al.,
Defendants.

STIPULATION AND ORDER
CONFIRMING ATTORNEYS'
FEES FOR FOURTH QUARTER
OF 2009

The parties, through their respective counsel, hereby stipulate as follows:

On September 21, 1995, this Court established a procedure by which plaintiffs are to collect attorneys' fees for work performed in connection with monitoring and enforcing compliance with the Court's orders. This procedure requires plaintiffs' counsel to submit to defendants a quarterly statement of fees incurred in monitoring work, and permits defendants 30 days from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items. After the parties meet and confer on any of defendant's objections, counsel shall then prepare a stipulated order for payment of the fees not subject to

1 defendant's objections. The Order also states that
2 defendants shall have forty-five days from the entry of the
3 order to pay the undisputed fees and that interest on any
4 undisputed fees will run from the thirty-first day following
5 defendants' receipt of plaintiffs' statement, accruing at
6 the rate provided by 28 U.S.C. § 1961. Pursuant to this
7 procedure, plaintiffs' counsel sent their fourth quarter
8 2009 billing statement demanding \$1,973.60 on defendants on
9 February 8, 2010. After a meet and confer, defendants do
10 not object to payment of \$1,973.60 in fees and costs for the
11 period from October 1, 2009 through December 31, 2009. This
12 agreement is in accord with the Joint Stipulation Regarding
13 Payment of Fees dated October 2, 2000.

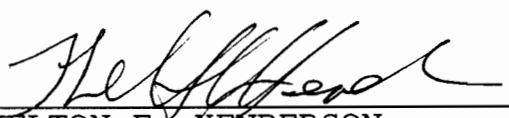
14 WHEREFORE, the following sums are due and collectable
15 within 45 days of the signing of this Order:

<u>Accruing</u>	<u>Amount</u>	<u>Rate</u>	<u>Interest Daily Interest</u>	<u>Date Interest Begins</u>
4th Qtr.2009	\$1,973.60	.31%	\$0.001	March 15, 2009

18 (Interest rate equals the weekly average 1 year constant
19 maturity treasury yield ending January 28, 2010.

20 IT IS SO ORDERED.

21 Dated: 3/2/10


THELTON E. HENDERSON
Judge
U.S. District Court

24 APPROVED AS TO FORM.

25 Dated: 2/24/10


MICHAEL JORGENSEN
ATTORNEY FOR DEFENDANTS

27 Dated: 2/8/10


DONALD SPECTER
ATTORNEY FOR PLAINTIFFS

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

No. C-90-3094 TEH

On February 24, 2010, I served the attached

Emily Brinkman, DAG
Deputy Attorney General
Office of the Attorney General
455 Golden Gate, Suite 11000
San Francisco, CA 94102-3664


Edie DeGraff

MADRID
TIME AND EXPENSES
PRISON LAW OFFICE
10-01-09 thru 12-31-09

MONITORING	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
<u>ATTORNEYS</u>			
Steven Fama	10.30	177.00	1,823.10
TOTAL MONITORING			\$1,823.10
<u>FEES ON FEES</u>			
Edie DeGraff	0.90	160.00	144.00
TOTAL FEES ON FEES			\$144.00
<u>EXPENSES</u>			\$6.50
TOTAL TIME AND EXPENSES			\$1,973.60

Prison Law Office
General Delivery
San Quentin, CA 94964

Madrid v. Davis
US District Court
Northern District

In Reference To: No. C 90-3094 TEH

Professional Services

		<u>Hours</u>	<u>Amount</u>
<u>Other</u>			
10/9/2009	SF review monthly force documents, received today, for month of September	0.30	
10/12/2009	SF review BIR semi-annual report covering Jan through June 2009	3.50	
11/30/2009	SF review proposed CDCR rules re use of force and reporting/review thereof, and compare to Pel Bay policies	2.80	
12/1/2009	SF draft comments to proposed CDCR use of force rules	2.50	
12/11/2009	SF review use of force documents received in November	0.40	
	SF email to opp co requesting copy of use of force incident report	0.10	
	SF review use of force documents produced in December (one very large packet involving lethal force)	0.50	
	SF email to opp co and Pel Bay requesting complete 602 and fact finder	0.20	
For professional services rendered		10.30	\$1,823.10

User Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steve Fama	10.30	177.00	\$1,823.10

Prison Law Office
General Delivery
San Quentin, CA 94964

Madrid et al.,
US District Court
Northern District
Fees on Fees

In Reference To: C 90-3094 TEH

Professional Services

	<u>Hours</u>	<u>Amount</u>
<u>Other</u>		
10/20/2009 ED Review and finalize time and expenses for 3Q billing	0.90	
For professional services rendered	0.90	\$144.00

User Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Edie DeGraff	0.90	160.00	\$144.00

Prison Law Office
General Delivery
San Quentin, CA 94964

Madrid v. Davis
US District Court
Northern District

In Reference To: No. C 90-3094 TEH

Additional Charges :

		<u>Amount</u>
	<u>\$general</u>	
12/31/2009	PLO Postage billing 10-1-09 thru 12-31-09	2.10
	PLO Copy Machines billing	4.40
		<hr/>
	Total costs	\$6.50